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Chi-Lie Wang

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08/25/2009

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EXAMINER

MATTIS, JASON E

ART UNIT

PAPER NUMBER

2416

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This Advisory Action is in response to the Amendment After Final filed 8/10/09. Claims 1-48 have been canceled. Claims 49-81 are currently pending in the application.

Response to Arguments

2. Applicant's arguments filed 8/10/09 have been fully considered but they are not persuasive.

Regarding Applicant's argument that the combination of Li et al. and Epps et al. does not disclose "reading a quality of service parameter from the header of each received packet" and "storing each received packet into one of a plurality of queues according the quality of service parameter", as claimed, the Examiner respectfully disagrees. Li et al. discloses storing received cells into subqueues according to service classes of the cells (See column 2 line 66 to column 3 line14 and column 6 lines 31-56 of Li et al.). Thus, Li et al. discloses storing each received packet (each cell) into one of a plurality of queues (one of the subqueues) according to a quality of service parameter (the determined class of services). Li et al. does not specifically disclose any manner in which a class of service of a packet is determined. Thus, one of ordinary skill in the art would have been motivated to look elsewhere for a teaching of how to specifically determine the class of service of a packet. Epps et al. discloses packets having header

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information including quality of service or class of service information which are used by devices that receive the packets to determine the class of service of the packets (See column 1 lines 12-30 and column 1 line 65 to column 2 line 20 of Epps et al.).

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Epps et al., to combine the class of service determination method using a class of service header filed of Epps et al. with the system and method of Li et al. in order to allow the class of service of each received packet to be easily and quickly identified.

Regarding Applicant's argument that Epps et al. teaches away from combining the teachings of Li et al. and Epps et al., the Examiner respectfully disagrees. Epps et al. discloses a buffer management method implemented as computer instructions stored in a computer readable medium and executed by CPU (See column 44 lines 30-47 of Epps et al.). Thus, Epps et al. does disclose using a digital computer (the CPU) to perform the buffer management and routing method and does not teach away from use of a CPU to perform this method.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON E. MATTIS whose telephone number is (571)272-3154. The examiner can normally be reached on M-F 8AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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